BEFORE THE APPLICATION OF FRANCIS J. WALKER, ET UX FOR A SONING VALIANCE ON PROPERTY LOCATED COUNTY BOARD OF APPEALS ON WEST SIDE OF FAIRVIEW ROAD, 65' SOUTH OF THE BALTIMORE COUNTY CENTERLINE OF MINNA ROAD (3016 FAIRVIEW ROAD) CASE NO. 90-165-A 2ND COUNCILMANTE DISTRICT

is matter comes before the Boards, an appeal from the comissioner's Order denying the side yard setback of 6 inches in lieu of the required 7.5 feet for a proposed carport.

Testimony was received from James J. Martin of A.J. Builders who indicated that ag liding permit was applied for, however, same could not be granted thout the receipt of the variance requested. The witness presented a survey indicating that the dwelling currently has a macadom driveway which lies I foot from the adjoining property owner's property line. Mr. Walker, the Petitioner, wishes to construct an open carport under the existing driveway. Mr. Martin described the carport as being in conformity with the design of the Walter home and having a flat roof with gutter and downspout. Said downspout would be designed to carry water underground out into the street where it would drain into the County storm drain located thera.

Mr. Francis J. Walker requested that the carport would protect his cars from vandalism which he has suffered in the past and the drainage which now flows off the driveway would be carried away by the gutter and downspout system described above. He further tastified there are several other carports such as the proposed carport existing in his neighborhood.

Prancis J. Walker, et ux, Case No. 90-165-A

Mrs. Frances Sanders, the next-door neighbor of Mr. Walker, indicated she has a water problem with her home and a damp basement. Her desires were to not have any more water runoff onto her property and feels that the addition of a carport would increase the water runoff into her yard. Her daughter, Gwendolyn Berns, agreed with her mother's testimony before the Board.

After consideration of the testimony and evidence, the Board feels that the construction of the proposed carport would not be detrimental to the health, safety, and welfare of the adjoining property owner as the existing driveway is already at a distance of 1 foot from the property line.

For the reasons as set forth herein, it is this 21st day of August 1990 by the County Board of Appeals of Baltimore County ORDERED that the requested Petition for Zoning Variance to permit a side yard setback of 6 inches in lieu of the required minimum of 7.5 feet for a proposed carport be and the same is hereby GRANTED on the condition that the gutter and downspout outflow be directed and exit onto the street immediately in front of the Petitioner's home.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Guly ofm Arnold G. Foreman, Acting Chairman My B. Mareland

County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING 111 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 (301) XXXXXXXX (102)

HEARING ROOM + Room 301, County Office Bldg.

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICY COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 90-165-A FRANCIS J. WALKER, ET UX W/s of Fairview Rd., 55' S of the c/l of Minna Rd. (3016 Fairview Rd.) 2nd Election District

> VAR -side yard setbacks of 6" in lieu of 7.5' for proposed carport.

11/21/89 - Z.C.'s Order DENYING Petition.

which was scheduled for hearing on July 11, 1990 was CONTINUED by agreement of all parties to August 21, 1990 and therefore has been reassigned as follows:

2nd Councilmanic District

TUESDAY, AUGUST 21, 1990 at 10:00 a.m.

Petitioners/Appellants cc: Francis J. Walker, et ux

Mrs. Frances Sanders P. David Fields Pat Keller J. Robert Haines Ann M. Nastarowicz James E. Dyer

W. Carl Richards, Jr. Docket Clerk - Zoning Arnold Jablon, County Attorney

LindaLee M. Kuszmaul Legal Secretary



Room 301, County Office Bldg.

Tounty Mourd of Appeals of Bullimore County

COUNTY OFFICE BUILDING . 111 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

(301) **SECURE**, 887-3180 AMENDED NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND

IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79. * CASE NO. 90-165-A FRANCIS J. WALKER, ET UX

W/s of Fairview Rd., 65' S of the c/l of Minna Rd. (3016 Fairview Rd.) 2nd Election District 2nd Councilmanic District VAR -sideyard setbrcks of 6" in lieu of 7.5'

for proposed carport.

11/21/89 - Z.C.'s Order DENYING Petition.

ASSIGNED FOR: WEDNESDAY, JULY 11, 1990 at 1:00 p.m.

W. Carl Richards, Jr.

Docket Clerk - Zoning

Arnold Jablon, County Attorney

Petitioners/Appeilants cc: Francis J. Walker, et ux

Mrs. Frances Sanders P. David Fields

Pat Keller J. Robert Haines Ann M. Nastarowicz James E. Dyer

> LindaLee M. Kuszmaul Legal Secretary

Office of Planning & Zoning

Baltimore County Board of Appeals County Office Building, Room 315 Towson, Maryland 21204

RE: Petition for Zoning Variance W/S of Fairview Road, 65' S of the c/l of Minna Road (3016 Fairview Road) 2nd Election District, 2nd Councilmanic District Prancis J. Walker, et ux - Petitioner

Please be advised that an appeal of the above-referenced case was filed in this office on December 15, 1989 by Francis J. Walker, et All meterials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Mrs. Sanders, 3014 Fairview Road, Baltimore, Md. 21207

People's Counsel of Baltimore County Rm. 304, County Office Bldg., Towson

Mr. and Mrs. Francis J. Walker 3016 Fairview Road Baltimore, Maryland 21207

November 30, 1989

Mr. J. Robert Haines Zoning Commissioner Baltimore County Zoning Commissioner Office of Planning and Zoning Towson, Maryland 21204

Dear Mr. Haines:

Re: PETITION OR ZONING VARIANCE W/S of Fairview Road 65' S of the c/l of Minna Road (3016 Fairview Road) 2nd Election District 2nd Councilmanic District Francis J. Walker, et ux - Petitioners Case No. 90-165-A

I am appealing your decision of November 21, 1989 as referenced by the above for the following reasons:

- 1. There is only a 1 and one-half inch drop for the car-port, thereby disputing the claim that it will case an undue hardship on the Saunders grounds due to drainage.
- 2. Because of the way it will be constructed any run-off will drain off into my driveway and cannot run onto the Saunders
- Thirdly, and most importantly, this drain run-off would infact improve the drainage problem currently existing.

Your reconsideration of this matter will be greatly appreciated. will be at your disposal for any questions you may have regarding this

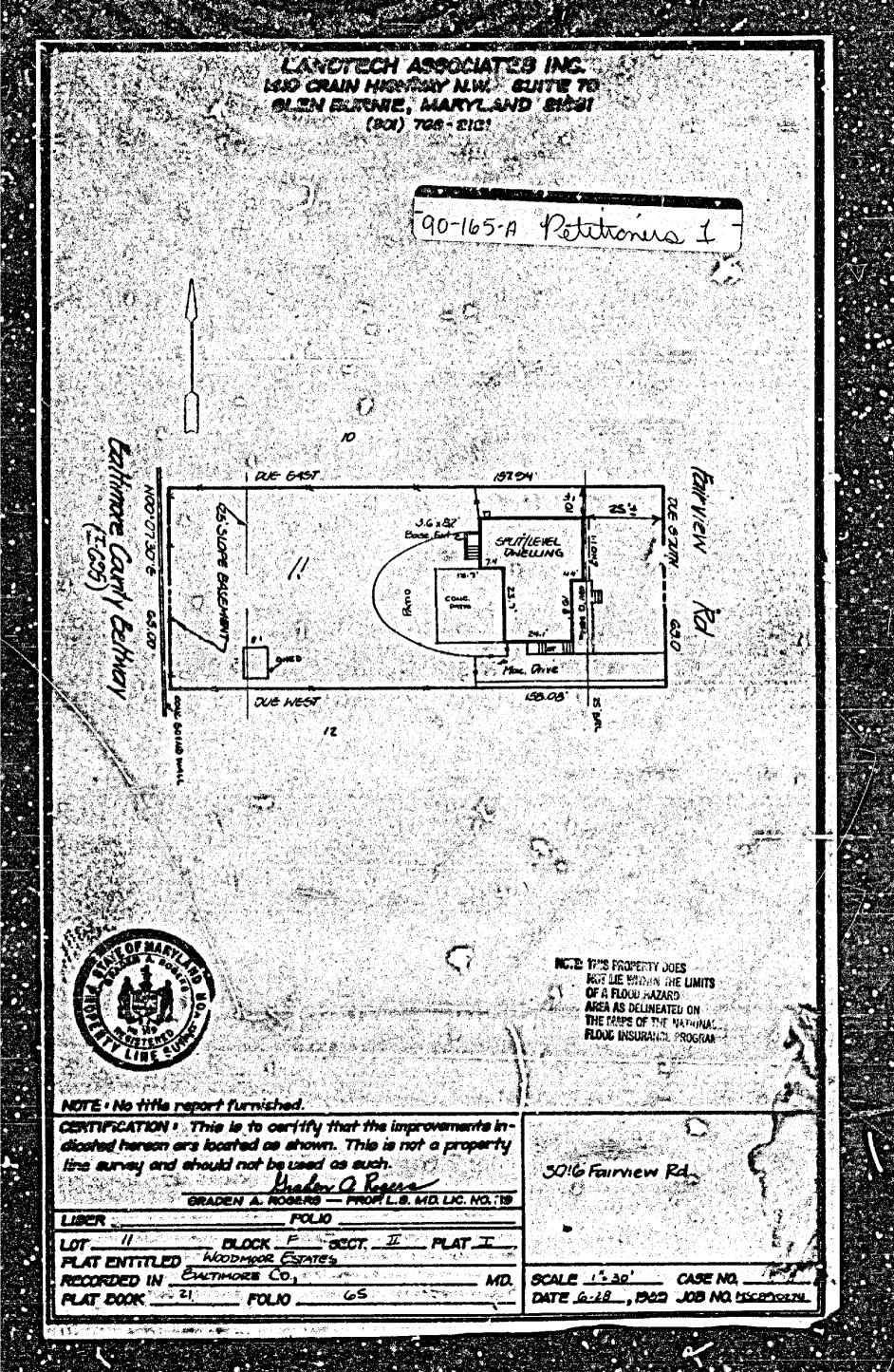


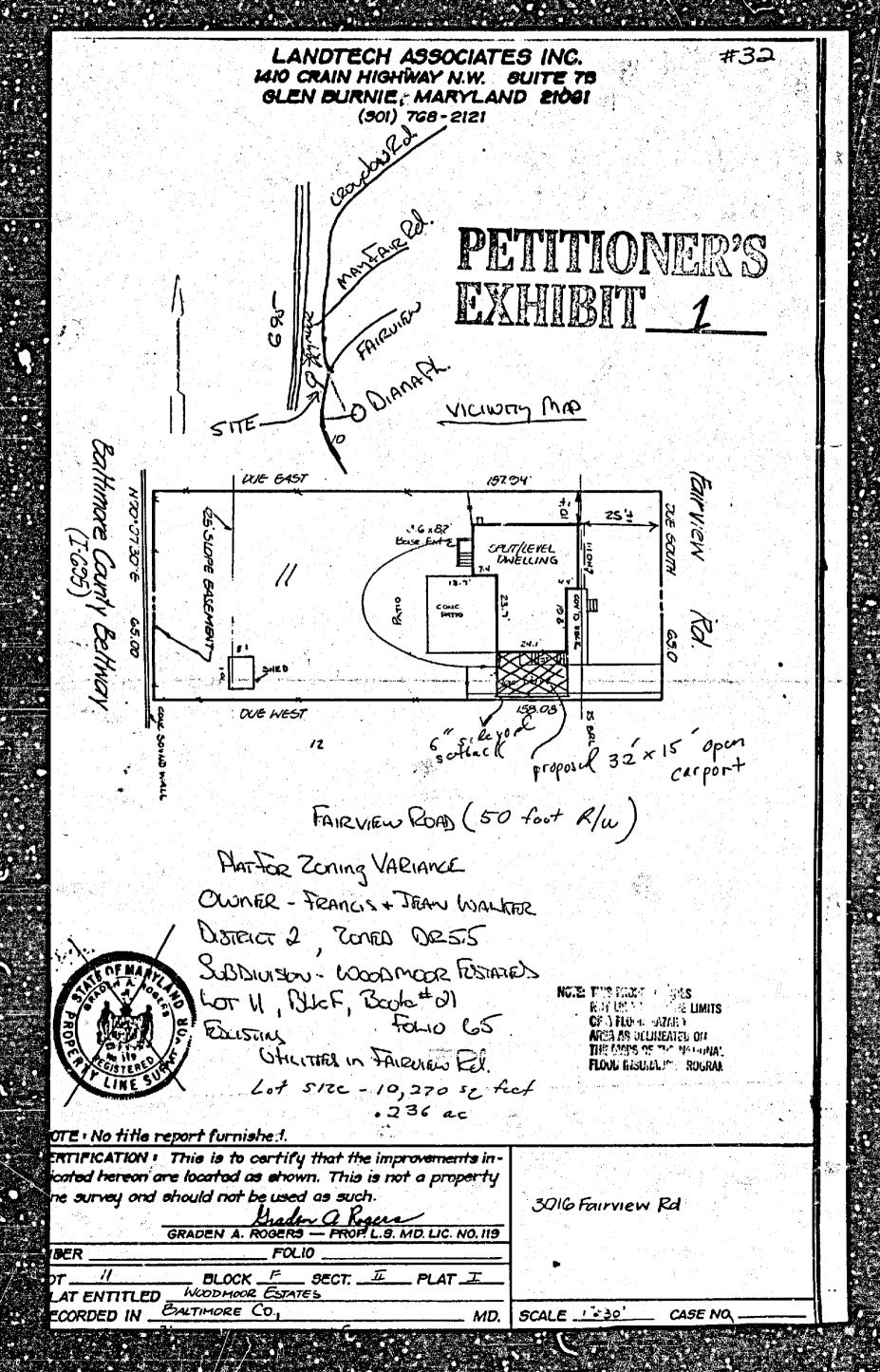
Con Etalles

Baltimore County 140 -OF ALL OTHER ORDERS Hillian State LAST NAME OF OWNER: WALKER B 038**** 150p0:a #110F 90-165-A CERTIFICATE OF POSTING CONING DEPARTMENT OF BALTIMORE COUNTY Francis J. Walker, et up Minne Road & 3016 Fairview Road 45'5 of the c/4 of on In front of 3016 Fairview Road

	[90-165 A Restants
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21	WOODMOOD ESTATES PLAT BOOK 21-65 DISTIZICT BALTIMORE OF MARYLAND
50	2005 1" = 30 DATE 7-5-90

MALTINGRE, MA. 2222





IN THE MATTER OF THE APPLICATION OF FRANCIS J. WALKER, ET UX FOR A ZONING VARIANCE ON PROPERTY LOCATED ON THE WEST SIDE OF FAIRVIEW * OF ROAD, 65' SOUTH OF THE CENTERLINE OF MINNA ROAD (3016 FAIRVIEW ROAD)

2ND ELECTION DISTRICT

2ND COUNCILMANIC DISTRICT

BEFORE THE COUNTY BOARD OF APPEALS

* BALTIMORE COUNTY * CASE NO. 90-165-A

This matter comes before the Board on an appeal from the Zoning Commissioner's Order denying the side yard setback of 6 inches in lieu of the requied 7.5 feet for a proposed carport.

Testimony was received from James J. Martin of A.J. Builders who indicated that a building permit was applied for, however, same could not be granted without the receipt of the variance requested. The witness presented a survey indicating that the dwelling currently has a macadam driveway which lies 1 foot from the adjoining property owner's property line. Mr. Walker, the Petitioner, wishes to construct an open carport under the existing driveway. Mr. Martin described the carport as being in conformity with the design of the Walker home and having a flat roof with gutter and downspout. Said downspout would be designed to carry water underground out into the street where it would drain into the County storm drain located there.

Mr. Francis J. Walker requested that the carport would protect his cars from vandalism which he has suffered in the past and the drainage which now flows off the driveway would be carried away by the gutter and downspout system described above. He further testified there are several other carports such as the proposed carport existing in his neighborhood.

THEREFORE, IT IS RDERED by the Zoning Commissioner for Baltimore County this May of November, 1989 that the Petition for Zoning Variance to permit a side yard setback of 6 inches in lieu of the required minimum of 7.5 feet for a proposed carport in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

Zoning Commissioner for Baltimore County Francis J. Walker, et ux, Case No. 90-165-A

Mrs. Frances Sanders, the next-door neighbor of Mr. Walker, indicated she has a water problem with her home and a damp basement. Her desires were to not have any more water runoff onto her property and feels that the addition of a carport would increase the water runoff into her yard. Her daughter, Gwendolyn Barns, agreed with her mother's testimony before the Board.

After consideration of the testimony and evidence, the Board feels that the construction of the proposed carport would not be detrimental to the health, safety, and welfare of the adjoining property owner as the existing driveway is already at a distance of 1 foot from the property line.

For the reasons as set forth herein, it is this 21st day of August , 1990 by the County Board of Appeals of Baltimore County ORDERED that the requested Petition for Zoning Variance to permit a side yard setback of 6 inches in lieu of the required minimum of 7.5 feet for a proposed carport be and the same is hereby GRANTED on the condition that the gutter and downspout outflow be directed and exit onto the street immediately in front of the Petitioner's home.

Any appeal from this decision must be made ... accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY level of the Arnold G. Føreman, Acting Chairman B. Muchand

IN RE: PETITION FOR ZONING VARIANCE W/S of Fairview Road, 65' S of the c/l of Minna Road (3016 Fairview Road)

2nd Election District 2nd Councilmanic District * BEFORE THE

* ZONING COMMISSIONER

Francis J. Walker, et ux Petitioners

* OF BALTIMORE COUNTY * Case No. 90-165-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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The Petitioners herein request a variance to permit a side yard setback of 6 inches in lieu of the required minimum of 7.5 feet for a proposed carport in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. Mrs. Sanders, adjoining property owner appeared as a Protestant.

Testimony indicated that the subject property, known as 3016 Fairview Road, consists of .236 acres more or less zoned D.R. 5.5 and is improved with a single family dwelling. Petitioners testified they propose constructing an open carport on the south side of the subject property; however, due to the location of the dwelling on the lot, the proposed carport will be located 6 inches from the side property line. Petitioners testified that there is no other suitable location on the property to construct the proposed carport which will be constructed alongside the existing dwelling at the side entrance over an existing macadam driveway. Petitioners testified the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

Mrs. Sanders testified she resides on the adjacent property known as 3014 Fairview Road and indicated the proposed carport will be constructed alongside her property line. Mrs. Sanders further testified as to her concerns regarding water runoff problems and indicated the proposed carport

will exacerbate the flooding problems she currently experiences on her

An area variance may be granted where strict application of the zoning · regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily

2) whether the grant would do substantial injustice to applicant as well as other property owners in to district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. The testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for Sthe variance. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

Baltimore County PETITION FOR ZONING VARIANCE Zoning Commissioner Office of Planning & Zoning TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section ___1802_3.B._LSec__211.3,_R.6,_Apr._1955.1_&_301_1 To permit a 6" side yard sethack in lieu of the

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoming Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of above Paltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm under the penalties of perjury, that I/w or are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s): FRANCIS J WALILFA
(Type or Print Name)	(Type or Print Name) France (Ullin
Signature 3016 PAIRVIEW 25	JEAN E WALKER
BALLO MD 2/21	(Type or Print Name) Lun C Walle
City and State	Signature
Attorney for Petitioner:	3016 Fairview Rd 298-5270

1989, that the subject matter of this petition be advertised, as required by the Zoming Law of Baltimore County, in two newspapers of general circulation out Baltimore County, that property be posted, and that the public hearing be had before Commissioner of Baltimore County in Room 106, County Office Building in Towson,

PETIMATED LENGTH OF HEARING -1/2HR.

AVAILABLE FOR HEARING MON. TUES. / WED. - NEXT TWO MONTES DATE 7/31/81 HEVIEWED BY: 7MK

Day Month Year Number TYPE Identification Number Zip Code Petitioner: Wulker Francis (First) Fairview Property Address: 1 No. 058241 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 7/21/81 S 35.00 3016 FAIRVICE RE (Item # 32 Residential Variance B B155******3500:a 5275F

Beginning on the west side of Fairview Road, 50 feet wide, at the distance of 65 feet south of the centerline of Minna Road. Being Lot #11, Block F, Book 21, Folio 65. Also known as 3016 Fairview Road containing .236 acre in the 2nd Election District.

UNDER NEW MANA EMENT Conveniently located on Park Heights Ave. FOR SALE Eton Hall and Bancroft Court Apartments YARD SALE * Molti-family-out. & Sun., Oct. 14 & 15th, 9-5 at 311 Bun-Being newly renovated. Applications now being accepted for 1, 2 & 3 BR apts. FOR RENT CALL 542-8339 SHARE OFFICE SPACE - On Liberty Rd. Randallstown attorney wishes to subjet 2 offices plus reception area. Parking avail., non-anxions only, 828-Get into shape LEGAL NOTICE close to home. NOTICE OF HEARING Aerobics • Hot tub Swimming pool • Full size washer and . Much, much more Families with incomes between \$17,000 and \$33,000 given special consideration. Models open Mon. thru Sat. 10 to 6. Sun. 1 to 6. DIRECTIONS: Off McDonogh Road in Owings Alls PHONE: (301) NOTE # "PHASE 8" of the "SecOW EMERGEN-CY PLAN" is an effect in Betimore County on the store hearing date, the Hearing will be postpon-ed in the event of snow, intephone 817-3391 to

Petron for Africa Variation
Take married: 90-158-A
W. of Frances Pools
of of Mone Road
5018 Ferview Pools
2nd Beston Deater
2nd Councilments
Petrons J. Weller, et al.
Hearing Date: Thursday,
1904 6, 1908 61 200 p.m. Vertamos: To permit a 6 inch side yard selbeck in heu 3f the minimum 7.5 teet.

In the event that this Pestion is granted, a building pormit may be leased within the thiny (30) day access period. The Zoning Commissioner will, however, entertain any request for 3 say of the enterior of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing sat shows or preserved at the treating.

NOTE: If "PHASE II" of the SHOW EMERGENCY" is in elsevine southy an the story hearing date, the Hearing will be postported. In the event of street, telephone 887-3391 to confirm hearing date.

CERTIFICATE OF PUBLICATION

TOWSON, MD. Oct. 13 1989 THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFT ERSONIAN, a 7. kly newspaper printed and published in Towson, Baltimore County, Md., appearing on Oct 12 , 1989.

THE JEFFERSONIAN,

5. Zefe Ol.

PO 17273 neg M34245 10-165-A prico\$ 4334

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 90-165-A

Date of Posting 10-16-89 Posted for: Marianes Petitioner Francisco & Walter et us Lucation of property W/S & Fairman Road (5" of Mar C/L

My Mission (3016 Fair view Road)

Location of Signer Mars front N 3016 Fairman Road

Pumber of Signes

\ Baltimore County Zoning Commisioner

Panell rend the other an engisting Civila moved (1814a i e 107724 493.54 that there of thinks that the

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Please make charks payable for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

3016 Fairview Road

DATE 10 17/87

Dennis F. Rasmirsen County E. e vieve

Petitioner(s): Francis J. Walker, et ux HEARING: THRUSDAY, NOVEMBER 9, 1989 at 2:00 p.m.

the above captioned property.

Re: Petition for Zoning Verience

CASE NUMBER: 90-165-A

3016 Fairview Road

W/S of Fairview Road, 65' S of c/l of Minna Road

2nd Election District - 2nd Councilmenic

Mr. & Mrs. Francis J. Welker

Beltimore, Maryland 21207

Dear Mr. & Mrs. Walkers Please be advised that \$93.54 is due for advertising and posting of

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)
RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY

UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm

hearing date.)

"SNOW EMERGENCY PLAN"

Dallimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21004 (301) 887-3353

NOTICE OF HEARING

Dennis F. Casmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Bullding, located at 111 W. Chesapeake Avenue in Towson, Maryland as

Petition for Zoning Variance CASE NUMBER: 90-165-A W/S of Fairview Road, 65' S of c/. of Minna Road 3016 Fairview Road 2nd Election District - 2nd Councilmanic Petitioner(s): Francis J. Walker, et ux HEARING: THRUSDAY, NOVEMBER 9, 1989 at 2:00 p.m.

Variance: To permit a 6 inch side yard setback in lieu of the minimum 7.5 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 087-3391 to onfirm hearing date.)

BALTIMORE COUNTY, MARYLAND

cc: Mr. & Mrs. Walker

Petition for Zoning Variance

W/S of Fairview Road, 65' S of the c/1 of Minna Road(3016 Fairview Road) 2nd Election District - 2nd Councilmanic District Francis J. Walker, et ux - Petitioner Care No. 90-165-A

Petition for Zoning Variance

Description of Property Certificate of Posting

Certificate of Publication

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments, dated October 31, 1989

Petitioner's Exhibits: 1. Plat

Zoning Commissioner's Order, dated November 21, 1989

Notice of Appeal received December 15, 1989

List all Names of parties involved

Francis J. Walker, et ux 3016 Fairfiew Road Baltimore, Maryland 21207

Mrs. Sanders 3014 Fairview Road Baltimore, Maryland 21207

People's Counsel of Baltimore County Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning

Patrick Keller, Office of Planning & Zoning J. Robert Haines, Zoning Commissioner Ann M. Nastarowicz, Deputy Zoning Commissioner James E. Dyer, Zoning Supervisor W. Carl Richards, Jr., Zoning Coordinator Docket Clerk Arnold Jablon, County Attorney

Mr. and Mrs. Francis J. Walker 3016 Fairview Road Baltimore, Maryland 21207 November 30, 1989

Mr. J. Robert Haines Zoning Commissioner Baltimore County Zoning Commissioner
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Haines:

Re: PETITION FOR ZONING VARIANCE
W/S of Fairview Road
65' S of the c/l of Minna Road
(3016 Fairview Road) (3016 Fairview Road)
2nd Election District
2nd Councilmanic District
2nd Councilmanic District
Francis J. Walker, et ux - Petitioners
Case No. 90-165-A

I am appealing your decision of November 21, 1989 as referenced by the above for the following reasons:

There is only a 1 and one-half inch drop for the car-port, thereby disputing the claim that it will case an undue hardship on the Saunders grounds due to drainage.

Because of the way it will be constructed any run-off will drain off into my driveway and cannot run onto the Saunders

Thirdly, and most importantly, this drain run-off would infact improve the drainage problem currently existing.

Your reconsideration of this matter will be greatly appreciated. I will be at your disposal for any questions you may have regarding this

Sincerely.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

November 21, 1989

Mr. & Mrs. Francis J. Walker 3016 Fairview Road Baltimore, Maryland 21207

RE: PETITION FOR ZONING VARIANCE W/S of Fairview Road, 65' S of the c/l of Minna Road (3016 Fairview Road) 2nd Election District - 2nd Councilmanic District Francis J. Walker, et ux - Petitioners Case No. 90-165-A

Dear Mr. & Mrs. Walker:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haires J. ROBERT HAINES Zoning Commissioner for Baltimore County

cc: Mrs. Sanders 3014 Fairview Road, Baltimore, Md. 21207





BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 30, 1989

CYUNTY OFFICE BLOG. til M. Chesapeake Ave. Toware, Meryland 21284

Sound of Education

Industrial

Zoning Administration

Mr. & Mrs. Francis J. Walker 3016 Fairvior Road Baltimore, ND 21207

> RE: Item No. 32, Care No. 90-165-7 Petitioner: Francis J. Walker, et ux Petition for Zoning Variance

Dear Hr. & Mrs. Walker:

Autrem of Engineering Proportment of Profile Engineering The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following State Roads Commission comments are not intended to indicate the appropriateness of the zoning action rec sted, but to assure that all parties are fire Prevention made aware of plans or roblems with regard to the development Health Department plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner Project Flanning with recommendations as to the suitability of the requested Building Department

> Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

> IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

JED:jw Enclosures

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towers, Maryland 21204 (301) 887-3353 J. Robert Haines



234

Your petition has been received and accepted for filing this 9th day of August, 1989.

ZONING COMMISSIONER

Petitioner: Francis J. Walker, et ux

Petitioner's Attorney:

Nov. 9

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. Robert Haines

DATE: October 31, 1989

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Francis J. Walker, Item 32 Zoning Petition No. 90-165A

The Petitioner requests a Variance to permit a 6 ft. side yard setback in lieu of the minimum 7.5 ft.

In reference to this request, Staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:ggl P90/165A

11/1/89 mailed copies jaw

MOV 0 1 1980

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554



ZONING OFFICE



County Office Building Towson, Maryland 21204

Dear Mr. Haines:

Mr. J. Robert Haines

Zoning Commissioner

The Bureau of Traffic Engineering has no comments for items number 25, 27, 29, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, and 42.

Very truly yours,

August 25, 1989

Michael S. Flanigan Traffic Engineer Associate II

MSF/lvw

Baltimore County Fire Department 800 York Road Towson, Maryland 21204-2586 (301) 887-4500

Paul H. Reincke AUGUST 11, 1989

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

Dennis F. Rasmussen County Executive

RE: Property Owner: Location:

W/S OF FAIRVIEW ROAD

FRANCIS J. WALKER

Item No.: 32 Zoning Agenda: AUGUST 8, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Planning Group

Special Inspection Livision

Noted and Approved

Fire Prevention Bureau

Fire Prevention

JK/KEK

AUG 1 6 1814

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204 (301) 887-3353

J. Robert Haines Zoning Commissioner

January 8, 1990

Baltimore County Board of Appeals County Office Building, Room 315 Towson, Maryland 21204

RE: Petition for Zoning Variance W/S of Fairview Road 65' S of the c/l of Minna Road (3016 Fairview Road) 2nd Election District, 2nd Councilmanic District Francis J. Walker, et ux - Petitioner Case No. 90-165-A 1

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on December 15, 1989 by Francis J. Walker, et ux. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

J. Robert friends

Zoning Commissioner

Enclosures

cc: Francis J. Walker, et ux, 3016 Fairview Road, Balto., Md. 21207 Mrs. Sanders, 3014 Fairview Road, Baltimore, Md. 21207

People's Counsel of Baltimore County Rm. 304, County Office Bldg., Towson, Nd. 21204

File



Room 301, County Office Bldg.

County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING 111 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 (301) 300 887-3180 February 9, 1990

AMENDED NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 90-165-A"

FRANCIS J. WALKER, ET UX W/s of Fairview Rd., 65' S of the c/l of Minna Rd. (3016 Fairview Rd.) 2nd Election District 2nd Councilmanic District VAR -sideyard setbacks of 6" in lieu of 7.5" for proposed carport.

11/21/89 - Z.C.'s Order DENYING Petition.

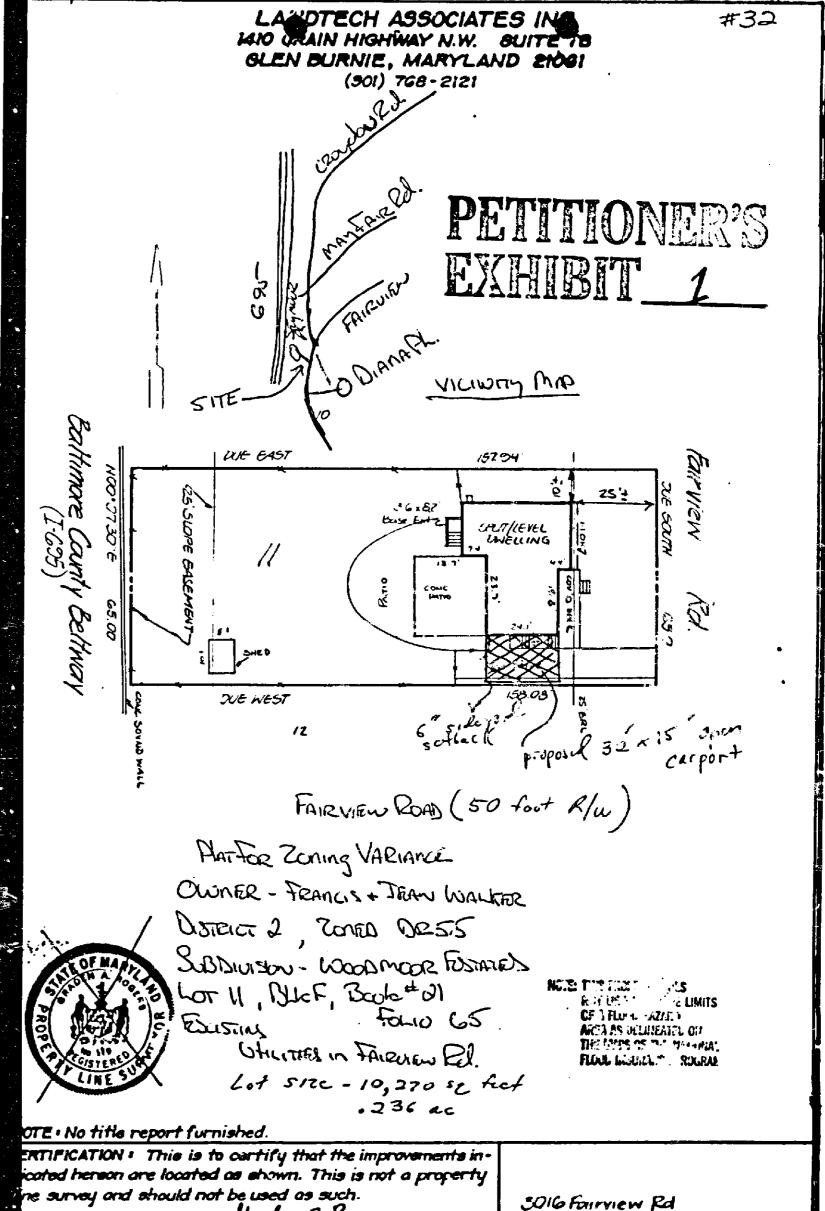
ASSIGNED FOR: WEDNESDAY, JULY 11, 1990 at 1:00 p.m.

cc: Francis J. Walker, et ux Petitioners/Appellants Mrs. Frances Sanders

People's Counsel for Baltimore County out per Study Head 2/12/90 Pat Keller J. Robert Haines

Ann M. Nastarowicz James E. Dyer ,W. Carl Richards, Jr. ✓ Docket Clerk - Zoning Arnold Jablon, County Attorney

LindaLee M. Kuszmaul Legal Secretary



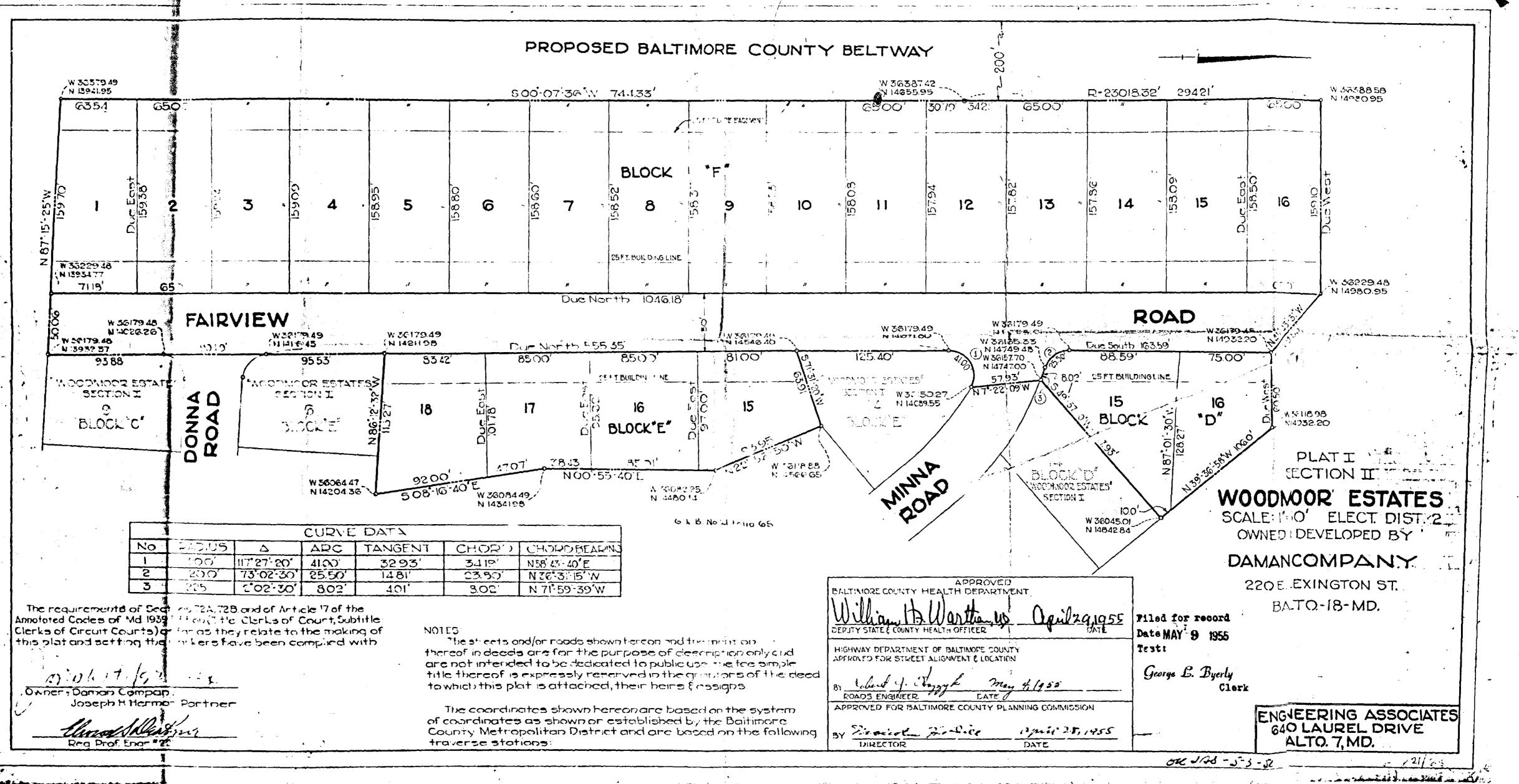
survey and should not be used as such.

GRADEN A. ROGERS - PROF. L.S. 410 LIC. NO. 719 FOLIO . DT _______ BLOCK _F SECT. ___ PLAT _T

LAT ENTITLED ______ NIDDMICOR ESTATES

COORDED IN _______ ENTITIONE CO.________

SCALE 1:30' CASE MQ. DATE . G.EB .. , 1949 JOB NO. TECHOOSE



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